

## CASE IS DISMISSED AT COST OF CITY

Judge Shackelford Disposes of  
Annexation Proceedings  
in Short Order.

QUESTION OF APPEAL TO  
BE DECIDED BY COUNCIL

City Attorney Massie Has Thirty  
Days in Which to File Bill of Ex-  
ceptions—Argument by Counsel  
Heard Here Yesterday—Court's Rea-  
sons for Ruling Not Defined.

"I don't think the city needs  
this territory. I don't think the  
annexation is necessary, therefore  
I am going to dismiss this motion  
at the cost of the city."

In these few words and without at-  
tempting to define reasons for his  
conclusion, Judge George Shackel-  
ford, of Orange county, sitting in the  
Circuit Court of Warwick County by  
the governor's designation, yesterday  
evening shortly after 6 o'clock disposed  
of the annexation proceedings through  
which the city of Newport News is en-  
deavoring to extend its limits so as  
to take into the corporate limits all  
of the territory now in Elizabeth  
city and Warwick counties lying be-  
tween the present limits and James  
river, Hampton roads and Salter's  
creek.

City Attorney Massie was given  
thirty days in which to file a bill of  
exceptions in the event it is decided  
to appeal the case. Mr. Massie will  
lay the matter before the city council  
and ask for instructions as to whether  
or not he shall take the case to the  
Supreme Court.

**A Distinct Surprise.**  
The court's decision came as a  
distinct surprise to practically every-  
body who has followed the case,  
probably not even excepting counsel  
for the parties defendant. The gen-  
eral expectation had been that the  
court would extend the limits so as to  
take in at least a small part of the  
territory proposed to be annexed.

The decision was handed down and  
the order was being drawn within  
three minutes after Mr. Massie had  
concluded his closing argument. The  
judge prefaced his brief ruling by  
stating that he did not want counsel  
to think he was making light of the  
case because he decided it now; that  
he had just spent five days listen-  
ing to the evidence, had seen the  
territory and listened to the argu-  
ment and he felt that he knew more  
about the case than he would know  
if he waited a month to give his de-  
cision.

**Hearing on the Merits.**  
The annexation proceedings were  
authorized by the city council last  
September. After various delays oc-  
casioned by the technicalities brought  
into play by the resourceful counsel  
for the parties defendant, the city  
finally succeeded in getting a hearing  
on the merits of the case two weeks  
ago at Warwick Court House. War-  
wick and Elizabeth City counties, the  
Old Dominion Land Company and  
about sixty residents of the territory  
in Warwick county proposed to be an-  
nexed were made parties defendant,  
and then five days were spent in  
hearing evidence. When all the evi-  
dence was in, the court adjourned to  
reconvene here yesterday to hear the  
argument.

**The Argument.**  
Two hours each was allotted to  
Warwick county, Elizabeth City  
county and the city for the argument.  
Mr. Massie opened for the city,  
speaking an hour and ten minutes.  
He was followed by Judge E. E. Mon-  
tagne, commonwealth's attorney for  
Elizabeth City county, who in turn  
was followed by P. St. George Wil-  
cox, commonwealth's attorney of  
Warwick. In the afternoon J. Win-  
ston Read, for Warwick, S. Gordon  
Cumming, for Elizabeth City, and  
Judge George L. Carleton, of Rich-  
mond, for Warwick, spoke in the  
order named, and Mr. Massie closed for  
the city.

Mr. Massie dwelt upon the neces-  
sity for taking in Bloodfield, the Par-

ish avenue section, upper Chestnut  
avenue, Dawson city and the Ches-  
apeake & Ohio railway property south  
of the present limits. He contended  
that while the city had no use for  
the farm lands below the present lim-  
its, Hampton Roads and Salter's  
creek formed a natural boundary line.  
He went on to say, however, that  
what the city wanted was the people,  
and that the court could fix the bound-  
ary as it chose. Mr. Massie scored  
the Old Dominion Land Company for  
the position it has taken in this mat-  
ter.

**"Sanctification by Annexation."**  
Counsel for the counties argued that  
it was neither advisable or expedient  
to annex the proposed territory.  
They argued that the city of New-  
port News had all the territory it  
needed or was in position to take care  
of, and that the counties are now giv-  
ing the territory involved first class  
government. Counsel for Warwick  
laid particular stress upon the extent  
of the taxable values proposed to be  
taken away from the small county.  
Mr. Read made light of the contention  
that it is necessary to take in Blood-  
field, and created considerable amu-  
sement by declaring that he never  
before had heard of "sanctification by  
annexation." Mr. Read and his as-  
sociates had a good deal to say about  
the financial condition of the city,  
"retrenchment" being mentioned fre-  
quently.

**Too Solicitous About City.**  
In his reply Mr. Massie referred to  
the financial condition of the city as  
described by the chairman of the  
finance committee of the city council,  
and asked that the court remember  
that the board of aldermen by unani-  
mous vote and the common council by  
a vote of thirteen to three adopted  
the ordinance proposing annexa-  
tion. He thought counsel for the  
counties were entirely too solicitous  
about the welfare of Newport News.  
The decision in this case probab-  
ly will have considerable weight in  
the case of the Boulevard residents  
who are petitioning to be allowed to  
come into the limits of Newport  
News, and whose case will be heard  
in the Circuit Court of Elizabeth  
City county by Judge Scott this  
week. A part of the territory in-  
volved in the proceedings dismissed  
by Judge Shackelford is involved in  
the Boulevard case.

## GLEE CLUB TO GIVE FIRST CONCERT TODAY

Excellent Program Arranged for First  
of Series at Academy of  
Music.

The Hampton Roads and Ladies  
Glee Clubs will give their first sacred  
concert at the Academy of Music this  
afternoon at 3:30 o'clock and it is  
expected that the playhouse will be  
packed to its capacity. The concert  
will be under the auspices of the  
Young Men's Christian Association  
and a silver offering for the associa-  
tion will be taken during the concert.  
The two clubs propose to give a  
concert each Sunday during the sum-  
mer months for the benefit of some  
local charitable organization. These  
concerts should prove of much enjoy-  
ment to the public as they are to be  
given by the best musical talent on  
the peninsula.

Following is the program for the  
concert today:  
Chorus—"Thine is the Kingdom"  
..... Gaul  
..... Glee Clubs.  
Invocation.  
Solo—"It With All Your Hearts"  
..... Mendelssohn  
..... Mr. George Murray.  
Scripture read.  
Chorus—"And the Glory of the  
Lord"  
..... Handel  
..... Glee Clubs.  
Solo—"Immortality"  
..... Sheppard  
..... Mrs. S. P. Marston.  
Selection—"Come Unto Me"  
..... Broelick  
..... Male quartette.  
Announcement.  
Chorus—"The Heavens Are Tell-  
ing"  
..... Haydn  
..... Glee Clubs.  
Solo—"He Shall Feed His Flock"  
..... Handel  
..... Mrs. Edgar M. Hall.  
Chorus—"Magnify Glory"  
..... Root  
..... Glee Clubs.  
Benediction.

## MAD DOG ON RAMPAGE ON EIGHTEENTH STREET

Brute Scared Men and Women and  
Bites Several Canines Before  
Being Killed.

Developing a sudden case of hydro-  
phobia, a bull dog belonging to Edwin  
R. Vaughan went on a rampage on  
Eighteenth street near the River Road  
yesterday morning, scaring a number  
of men and women and biting several  
other dogs. Patrolman Livezey was  
called to the scene and shot the mad  
dog.

After killing the bull dog, Officer  
Livezey made a search for the other  
dogs that had been bitten, but he was  
unable to find any of them. Another  
dog with all the symptoms of hydro-  
phobia was seen at West avenue and  
Twenty-fourth street, but, after at-  
tacking one or two canines, he made  
off before an officer could reach the  
scene.

The dog catcher will begin work to-  
morrow morning and all canines  
which are not muzzled and tagged  
will be picked up and put in the city  
pound.

REYNOLDS BROS. write Fire In-  
surance. See "ad." 16.

Cook With Gas.

Cook With Gas.

## MANY PAY ON LAST DAY

About Two Thousand Voters  
Now Qualified.

PROBABLY NO PRIMARY

Congressman Jones Very Likely Will  
be Declared Nominee to Succeed  
Himself, But Republicans Are Ex-  
pected to Put Candidate in Field.

Approximately 2,000 voters are qual-  
ified to participate in the congression-  
al election which is to be held in  
the first congressional district in No-  
vember. This is more than six hun-  
dred in excess of the number of vot-  
ers qualified to take part in the mun-  
icipal election to be held in this city  
next month.

About 2,300 voters were qualified to  
take part in the State election last  
fall, but that number was the great-  
est number to qualify since the new  
constitution was approved. Yesterday  
was the last day on which the voters  
could pay up their taxes and there  
was a rush at the office of City  
Treasurer Curtis during the morning  
and early afternoon.

Present indications are that there  
will be no primary in the first con-  
gressional district in August as no  
one has yet come out in opposition  
to Congressman William A. Jones.  
However, the Republicans very prob-  
ably will put a candidate in the field  
against Mr. Jones this fall.

## Vaudeville and Pictures

The New York Jolly Four will  
headline the bill at the Academy for  
the coming week. This comedy quar-  
tette, said to be one of the best in  
vaudeville, offers mirth and melody  
in pleasing variety, and ought to  
prove an attractive drawing card for  
the Academy, Rogers and Dorman,  
"the coon and the sweet gal," put on a  
coon shouting comedy sketch that  
comes to the Academy recommended  
as of the highest grade.

Carroll, "the jail-breaker," com-  
pletes the vaudeville program.

The moving pictures Monday and  
Tuesday will be especially good and  
among others, "The Clay Baker," an  
intensely interesting subject will be  
shown. As usual, new acts will come  
in on Thursday to make a change in  
the program for the latter half of  
the week.

**"Is Marriage a Failure" at the Bell.**  
Mr. and Mrs. J. Murry Smith will  
present a comedy sketch entitled, "Is  
Marriage a Failure" at the Bell  
theater this week. This team comes  
highly recommended, and it is ex-  
pected that their turn will make a  
hit with the patrons of the Bell.

Ladon and Varetta, two "rubes"  
who formerly were of "The Three  
Marvels," put on an act that is said  
to be far above the average. They  
carry their own scenery, and they  
made the hit of the bill in Norfolk  
and Portsmouth theaters last week.  
Duke, "the pony that does every-  
thing but talk," will be the third  
vaudeville feature of the Bell's bill  
during the first three days of the  
week. A little ventriloquism is said  
to add to the Duke's act.

As usual, the program will include  
a number of selected moving pictures.

## CHURCHES TO OPPOSE GRANTING OF LICENSES

Negro Congregations in Bloodfield Re-  
tain Counsel to Represent Them  
Tuesday.

Judge Tyler will convene the regu-  
lar May term of the Circuit Court of  
Warwick county Tuesday morning  
and will immediately take up the  
matter of granting liquor licenses for  
Bloodfield. The licenses of the  
saloon keepers expired on May 1 and  
since that time the saloons in  
Bloodfield have been officially closed.  
The congregation of the Zion Baptist  
church and Wesley Grace Chris-  
tian church, which are near Blood-  
field, have retained Attorney W. J.  
Nelms to oppose the granting of the  
licenses to the Holmes, Nachman and  
Freeman saloons in Bloodfield.

Attorney J. T. Newsome, colored,  
will appear before Judge Tyler to  
oppose the granting of any liquor  
licenses in the negro section of East  
End.

**Baltimore Grain Market.**  
BALTIMORE, MD., May 7.—  
WHEAT—firmer; spot contract, 109.  
CORN—firmer; spot contract, 64.  
OATS—steady; No. 2 white, 45½-  
46½; No. 2 mixed, 45½-47.  
RYE—dull; No. 2 western domest-  
ic, \$3.84.

**NOTICE**  
A meeting of British subjects will  
be held at residence of the under-  
signed, 3501 West avenue, foot of  
Thirty-fifth street at four p. m. Sun-  
day 8th instant, for the purpose of  
framing a set of resolutions, of con-  
dolence, to be forwarded to our  
widowed Queen.

JAMES HAUGHTON,  
British Vice Consul.

## SOCIAL-PERSONAL

Mrs. Frederick Palen entertained  
charmingly at cards Friday afternoon  
at her home on Forty-ninth street.  
The house was tastefully decorated  
with roses and the rose design was  
carried out in the arrangement of the  
refreshments, the salads and ices be-  
ing artistically formed. Assisting  
Mrs. Palen in receiving were: Mes-  
dames H. E. Parker, Harold Norton,  
J. Winston Read, Saxon W. Holt, A.  
St. Clair Smith, Homer L. Ferguson  
and W. R. Aylett. Bridge whist was  
played, the guests filling nine tables.  
Mrs. Edward J. Patton was awarded  
first honors; Mrs. A. L. Powell the  
second, while the consolation went to  
Mrs. J. Winston Read.

Dr. and Mrs. E. J. Applewhite and  
infant daughter left yesterday for Sul-  
folk, where they will visit relatives.  
Mrs. Applewhite and the baby will  
remain in Suffolk for two weeks.

Rev. E. T. Wellford and Mrs. Well-  
ford returned yesterday from Alexan-  
dria, where they spent two weeks.  
Mr. Wellford conducting a revival  
service in that city.

Miss Alice Allman, who has been  
visiting relatives in Elizabeth City,  
N. C., has returned home.

Miss Mary Dolliver has returned  
from Richmond, where she was the  
guest of her sister, Mrs. N. H. Har-  
grave.

Miss Grace Coleman, of Norfolk, is  
the guest of her cousins, the Misses  
Coleman on Huntington avenue.

Miss Mildred Davidson, who has  
been visiting relatives in Baltimore  
and Washington, has returned home.

Miss Blanche Elliott has returned  
from a visit to relatives near Scotts-  
ville, Va.

Miss Margaret Kling, who has been  
visiting relatives in Philadelphia, has  
returned to her home in this city. She  
was accompanied by her grandmother,  
Mrs. M. F. Fletcher.

Miss Beatrice Irving has returned  
from Elmira, N. Y., where she was  
the guest of relatives. Mrs. Robert  
G. Kettlin, her sister, accompanied her  
home and will be her guest here.

Miss Margaret Everett, who has  
been visiting relatives in Alexandria  
and Fredericksburg, has returned  
home.

Miss Mary Reese has returned  
from a visit to relatives in Albany,  
N. Y.

John W. Daniel Chapter.

The regular meeting of the John  
W. Daniel Chapter, United Daugh-  
ters of the Confederacy, will be held  
at "The Gloucester" Tuesday after-  
noon at 4 o'clock. Important business  
relating to the home for needy Con-  
federate women is to be discussed and  
a full attendance of the members is  
expected.

## SKIN-TORTURED Babies and Tired Mothers Find Comfort in Cuticura.

Sleep for skin-tortured babies and rest  
for tired mothers are found in a hot bath  
with Cuticura Soap and a  
gentle anointing with  
Cuticura Ointment. This  
treatment affords instant  
relief in the most distress-  
ing forms of itching,  
burning, scaly, and  
crusted humors, eczemas,  
rashes, irritations, and  
chafings, of infancy and  
childhood, and points to  
a speedy cure when all else fails. Wor-  
ried, worried parents will find that this  
pure, sweet, and economical treatment  
realizes their highest expectations.  
Guaranteed absolutely pure and may  
be used from the hour of birth. Cuticura  
Soap and Cuticura Ointment are sold  
throughout the world. Potter Drug &  
Chem. Corp., Sole Props., Boston.



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gress. Call and see our stock  
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PROMPT SERVICE  
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# IN THE BASE- BALL SEASON



And in every other season, this  
HOME INSTITUTION is here for  
YOU to use, it was established short-  
ly before this city was incorporated  
by HOME PEOPLE, has grown up  
with YOUR CITY, and has always  
been managed by your HOME AC-  
QUAINTANCES.

It has been ALWAYS READY to  
accommodate YOU, either as investor  
or borrower, WITHOUT PALTER-  
ING or failing you in HARD TIMES.  
It has distributed nearly \$80,000 in  
dividends among all its stockholders,  
besides creating a LARGE SAFETY  
FUND for their benefit.

It has earned YOUR CONFIDENCE,  
and earned the name of

**6 PER CENT**  
"THE Dividend Payer"  
**6 PER CENT**

And has become STRONGER AT  
THE END OF EVERY YEAR THAN  
IT WAS THE YEAR BEFORE. IT  
is NOW stronger, and pays a larger  
amount yearly in dividends than the  
largest bank on the Peninsula.

Are YOU not proud of this suc-  
cess? If YOU own stock YOU have  
helped in building up this Association  
and also

# MADE MONEY

While doing so. Subordination of all oth r considerations and  
MAKING STOCKHOLDERS' INTERESTS PARAMOUNT, has en-  
abled this Association to EARN PROFITS AND PAY DIVIDENDS  
FROM THE BEGINNING.

**BUY ALL THE STOCK  
YOU CAN AT PAR,  
\$100.00 PER SHARE  
DIVIDENDS 6 Per Cent  
PAID BY CHECK SEMI-  
ANNUALLY. X X X**

*The Mutual Home & Savings Association  
of Newport News, Virginia*

**6 PER CENT.**  
"THE Dividend Payer."  
**6 PER CENT.**

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Style and Workmanship Guar-  
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from 10c foot up  
Insect and Bug Killer  
for both Vegetables  
and Flowers

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For Ladies.

which insures against slipping  
at the heel, bulging at the sides.  
Makes the foot look small and  
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turns Pat. colt, Demi and  
Russian call. Any width you  
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Call for M. Levinson's Home  
Killed Beef, Veal and Pigs.  
Call especially for

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Virginia Cured Hams, Shoulders  
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**and WOOD**

cord Pine Wood \$1.75  
cord Mixed Wood \$1.80  
cord Oak Wood \$1.85

No Extra Charge for Splitting.  
All coal well screened and kept un-  
der sheds, both wood and coal being  
delivered perfectly dry.

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**Hartford  
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It will earn the  
\$1.00 per week  
itself.

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